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86TH CONGRESS }
2d Session }

SENATE }

REPORT
No. 1535

HENRY C. LARSON

JUNE 8, 1960.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2548]

The Committee on the Judiciary, to which was referred the bill (S. 2548) for the relief of Henry C. Larson, having considered the same, reports favorably thereon, with an amendment, and recommends that the bill, as amended, do pass.

AMENDMENT

On page 2, beginning in line 8, strike the words:

if at the time of his death, the said David C. Larson had been an employee of the United States subject to the provisions of the Act entitled "An Act to defray the cost of returning to the United States the remains, families, and effects of officers and employees dying abroad, and for other purposes", approved July 8, 1940 (54 Stat. 743),

and insert in lieu thereof the words:

in accordance with section 3(e) of Public Law 885 of the 84th Congress, second session (70 Stat. 890) which authorizes the Secretary of State to pay the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in international educational exchange activities under the jurisdiction of the Department of State.

PURPOSE OF THE AMENDMENT

The purpose of the amendment is to provide for payment as recommended by the National Science Foundation.

PURPOSE

The purpose of the bill, as amended, is to authorize the Director of the National Science Foundation to pay to Henry C. Larson, of Cloquet, Minn., the sum provided under Public Law 885 of the 84th Congress (70 Stat. 890), as reimbursement of expenses incurred by him incidental to the death of his son, David C. Larson, who died in Paris, France, while studying at the Ecole Normale Supérieure in Paris, under a fellowship granted pursuant to the National Science Foundation Act of 1950.

STATEMENT

The National Science Foundation has no objection to the enactment of the bill, as amended.

The amount estimated by the National Science Foundation in which the claimant will be reimbursed under the provisions of the bill is \$1,245.92.

David C. Larson, age 23, died in Paris on June 22, 1958, while studying under a fellowship granted by the National Science Foundation. The boy's father was notified by the American Embassy in Paris of his son's death and the boy's father transmitted \$1,675 by Western Union.

The father was advised by the National Science Foundation on August 29, 1958, that "the Foundation can pay, under existing regulations, the expenses of preparing the remains of the decedent and of transporting the remains to Cloquet, Minn." The father submitted an itemized claim in the amount of \$1,850.17. The National Science Foundation advised him on February 27, 1959, as follows in regard to his claim:

At the time of David's death, we had no policy to cover situations of this nature. We have since developed such a policy, subject to the approval of the Comptroller General. It is our desire that it apply to your claim. There is a law (54 Stat. 743) which permits Government agencies to pay for preparation of remains and transportation of civilian officers and employees who die in a foreign country. Your son was not an officer or an employee of the Government. Our proposed policy would, however, grant to fellows the same benefits as are now granted to civilian officers or employees.

In order to obtain a ruling on our proposed policy and to determine the amount of your claim that is properly payable, we forwarded it to the Comptroller General of the United States. On the basis of past experience, we estimate that the Comptroller's decision will be received about April 1.

Promptly after receipt of the Comptroller's decision, we will have a check issued to you for the allowable amount.

On June 22, 1959, the General Accounting Office notified the claimant that his claim was disallowed. The private relief bill which has been introduced by Senator Hubert H. Humphrey, of Minnesota, would provide, as amended in accordance with the recommendation of the National Science Foundation, for the reimbursement of the claimant, in accordance with the provisions of Public Law 885 of the 84th Congress (70 Stat. 890), which the National Science Foundation has advised the committee would amount to a reimbursement of \$1,245.92.

The committee believes that in view of all the circumstances in this case that this is a proper matter for relief by private legislation and accordingly recommends the bill favorably.

Attached and made a part of this report are (1) a letter, dated May 11, 1960, from the National Science Foundation; (2) a letter, dated April 18, 1960, from the National Science Foundation; and (3) a letter, dated March 17, 1960, from the Honorable Hubert H. Humphrey, with enclosures.

I

NATIONAL SCIENCE FOUNDATION,
OFFICE OF THE DIRECTOR,
Washington, D.C., May 11, 1960.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR EASTLAND: This will supplement our letter of April 18, 1960, in which we transmitted our views on S. 2548, a private bill for the relief of Henry C. Larson.

We have been advised by the Department of State that the Department spent a total of \$1,245.92 of the funds transmitted to it by Mr. Henry Larson for the purpose of preparing the remains of Mr. David C. Larson and transporting his body and personal effects to his home following his death. We have also been advised by the Department of State that had Mr. David C. Larson's death occurred while he was engaged in an international educational exchange activity under the jurisdiction of the Department, Mr. Henry Larson would have been reimbursed for the total amount of \$1,245.92 in accordance with section 3(e) of Public Law 885 of the 84th Congress. Under these circumstances, therefore, if S. 2548 is amended to authorize payment in accordance with section 3(e) of Public Law 885, the entire amount of \$1,245.92 would be payable to Mr. Larson should the bill be enacted.

I trust this gives you the additional information you desire.

Sincerely yours,

ALAN T. WATERMAN, *Director.*

II

NATIONAL SCIENCE FOUNDATION,

OFFICE OF THE DIRECTOR,

Washington, D.C., April 18, 1960.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR EASTLAND: This is in reply to your letter request for the views of the National Science Foundation with respect to S. 2548, a bill for the relief of Henry C. Larson.

As indicated in the bill, Mr. Larson is the father of David C. Larson, who died in Paris, France, while studying at the Ecole Normale Supérieure in Paris, France, under a predoctoral fellowship granted to him by the National Science Foundation. S. 2548 would authorize and direct the Director of the National Science Foundation to pay to Mr. Larson such sum as would equal the amounts that would have been paid to him by the United States had Mr. David C. Larson been an employee of the United States at the time of his death.

We, of course, sympathize greatly with Mr. Larson. His son showed every promise of becoming an excellent scientist. However, the matter of reimbursement for expenses of preparing and transporting his remains to the United States at Government expense raises some further questions which must be considered. As you know, there are a number of programs under which American citizens study away from home with support from the Federal Government. In addition, various organizations, including the National Science Foundation, provide Federal funds to individuals for attendance at conferences or for other activities away from home. In the event that any person being supported under any such program died during the course of his activities, it would appear just as logical for the Federal Government to pay the expense of preparing and transporting his remains as in the case of Mr. David C. Larson.

We, therefore, would prefer more general legislation to include those away from home under various foundation programs. However, we appreciate that such a solution will take some time and, therefore, raise no objection to S. 2548. We suggest, however, that section 2 of the bill be amended to authorize payment to Mr. Larson in accordance with section 3(e) of Public Law 885 of the 84th Congress, 2d session (70 Stat. 890) which authorizes the Secretary of State to pay the actual expenses of preparing and transporting to their former homes the remains of persons, not U.S. Government employees, who may die away from their homes while participating in the international educational exchange activities under the jurisdiction of the Department of State.

Thank you for giving us the opportunity to comment on the bill. The Bureau of the Budget has advised us it has no objection to the submission of this report.

Sincerely yours,

ALAN T. WATERMAN, *Director.*

III

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,

March 17, 1960.

Re S. 2548, Henry C. Larson.

Hon. JAMES O. EASTLAND,
Chairman, Senate Judiciary Committee,
Washington, D.C.

DEAR SENATOR EASTLAND: Enclosed is information in support of my above private bill, showing in part that the National Science Foundation advised both myself and Mr. H. C. Larson that the expenses provided for in the bill would be paid by the Foundation. This arrangement was denied by GAO.

It would be most appreciated if immediate consideration could be given this bill, which I introduced on August 17, 1959.

Thank you very much for your cooperation.

Sincerely yours,

HUBERT H. HUMPHREY.

[Enclosures]

AMERICAN EMBASSY,
*Paris, France, July 29, 1958.*Mr. HENRY LARSON,
Cloquet, Minn.

DEAR MR. LARSON: It is with deep regret that the Embassy refers to the accidental death of your son, David Clarence Larson, which occurred at Paris on June 22, 1958.

Mr. Gething Miller, an American attorney practicing in Paris, has informed this office that he sent full particulars regarding the accident to your brother, Mr. Clarence B. Larson, of the Union Carbide Corp., 30 East 42d Street, New York, N.Y.

The duty officer at the Embassy was first informed of the accident at 9:30 p.m. on Saturday, June 21, by Mr. Hippolyte, director of the Ecole Normale Supérieure in Paris, who explained that David had collided with a bus while riding a scooter between 7 and 8 p.m. that evening, and that he had been taken to the "Hopital Cochin" in Paris. Mr. Hippolyte immediately requested Dr. Etienne, attached to his school, to see David and sent you a telegram advising you of the accident. At 10:30 a.m., June 22, Mr. Hippolyte informed the Embassy that David had passed away, and a telegram was promptly sent to the Department of State at Washington, D.C., requesting that you be notified and that immediate instructions regarding the disposition to be made of the remains, as well as funds to meet all expenses involved, be obtained.

In accordance with your instructions, received through the Department of State, David's remains were embalmed and shipped by air to the United States, on July 3, via the Pan American World Airways, flight 115. They were consigned to Mr. E. H. McConnell, 30 East 42d Street, New York, N.Y., in compliance with the latest instruc-

tions sent by you directly to Mr. Miller. It is hoped that they were received without undue delay. Mr. Bernard J. Lane, undertaker and embalmer, 2 rue des Dardanelles, Paris, submitted his bill in the amount of 491,245 French francs, the equivalent of \$1,172.42, covering services provided in connection with the death, embalming of the remains and their shipment to America. This bill has been paid from your deposit of \$1,675 made with the Department of State.

There is enclosed, for your information, a copy of Foreign Service Form No. 192, "Report of the Death of an American Citizen," which is being submitted today to the Department of State as required by Foreign Service regulations. Certified copies of this report may be obtained at the following costs:

1st certified copy-----	\$2. 50
Additional copies (each)-----	1. 50

Mr. Hippolyte of the Ecole Normale Superieure released David's personal effects, including a sum of 12,233 French francs, \$150 in American Express travelers checks, and a steamship ticket, to the Embassy. An inventory of said effects is transmitted herewith. You will note that the travelers checks as well as the ticket are listed on the inventory under "Nonnegotiable instruments." The steamship ticket is for return passage to the United States and has a face value of \$200 or 84,000 francs (passage, \$196 or 82,320 francs, plus embarkation taxes, \$4 or 1,680 francs). The ticket was purchased from the Home Lines through Agence Albert, 38 Avenue de l'Opéra, Paris. A receipt for 86,630 francs issued by Agence Albert was later found, and upon inquiring the Agence informed the Embassy that this amount covered the following items:

	<i>Francs</i>
Total cost of steamship ticket, including embarkation taxes-----	84,000
Fiscal stamps-----	480
Railway ticket Paris-Le Havre, 2d class, to be picked up by your son prior to his departure-----	2,150
Total-----	86,630

The Embassy is presently endeavoring to obtain a refund of both steamship and railway tickets. If successful, a corrected inventory will be submitted, with the amount of said refund listed under "Convertible assets."

When a Foreign Service officer takes possession of the personal effects of an American citizen who dies abroad, he is required before releasing them to satisfy himself as to the right of the person claiming such effects to receive them. Satisfactory evidence of a legal representative's right to the personal estate of a decedent is generally supplied in the form of letters testamentary in case the decedent left a will, or of letters of administration should he have died intestate. On the other hand, if no administration of the estate is contemplated, the Embassy may accept as satisfactory evidence an affidavit executed by you as next of kin, and corroborated by the sworn statements of two witnesses familiar with the facts. There is enclosed for your guidance in executing the affidavit, a specimen form which will meet the Embassy's requirement.

The Embassy would appreciate receiving, with your affidavit as next of kin or other evidence as described above, your instructions regarding the disposition to be made of the articles taken into custody by this office following your son's death.

It would appear from your communication of June 23, addressed to Mr. Gething Miller, that you wish to have David's effects shipped to you in the United States by surface transportation. In the present case, it is necessary that you authorize the Embassy to release the articles in question to the Paris branch of the American Express Co., or such other forwarding agency as you may select, for shipment to you. The cost of shipment will be deducted from funds deposited by you with the Department of State. Should you desire to donate any part of the estate in the Embassy's possession to a charitable organization such as the American Aid Society of Paris, the American Church in Paris, or the American Cathedral Church of the Holy Trinity, Paris, for distribution to needy persons, this office will be pleased to deliver such items as you may indicate to the institution designated by you. Should you have no need for the technical books of your son, you may wish to authorize the Embassy to turn these books over to the director of the Ecole Normale Superieure for use by needy students.

The Foreign Service officer is also required to collect a fee of \$2 for each \$100, or fraction thereof, of the inventory value of the estate. Since the commercial value of your son's effects has been estimated at \$292.13, the fees to be assessed in connection with taking possession of, and inventorying the effects will amount to \$6 and will also be deducted from funds available at Washington.

The Embassy has been informed by the French authorities that a sum of 3,395 French francs, some personal papers and items, as well as personal effects including a watch, were in David's possession when he was admitted to the hospital. There is no treaty between the United States and France requiring the latter to hand over to American diplomatic or consular representatives in France the personal estates of American citizens who die in this country. As a result, when such estates fall into the hands of state hospitals—such as the Cochin Hospital—or other authorities who decline to release them, the formalities of settlement of the estate must be complied with in accordance with French law.

This office wrote to the hospital on July 10, inquiring as to the procedure to be followed to obtain the release of the funds and items retained by them. It is probable that a declaration of succession will have to be filed. This action should be taken by your legal representative in France inasmuch as the Embassy is not qualified in this respect to act on your behalf. The Embassy will continue its efforts to obtain the release of the items referred to above and will keep you informed of the progress made. Legal assistance may be required in this connection.

According to your telegram of June 23, Mr. Gething Miller, an American attorney practicing at 3 Avenue Bertie-Albrecht, Paris, is your "personal" representative insofar as your late son's affairs are concerned. It is assumed that you will wish to appoint Mr. Miller as your "legal" representative in order to facilitate the settlement of the estate in France. The services of your legal representative in Paris probably will also be required in connection with the accident and the disposal of the scooter. The investigation conducted by the French authorities being completed, the latter authorized the release to the Embassy—before August 15—of your son's damaged motorcycle. The scooter is not considered a part of the personal effects

and, therefore, the Embassy cannot take possession thereof. It is for this reason that the scooter does not appear on the inventory. The services of a legal representative are not essential or necessary, however, in connection with the personal effects taken into custody by the Embassy.

The autopsy was performed by Dr. Paul, the medical expert appointed by the court for that purpose. Autopsy findings are enclosed for your information. It is understood that Mr. Miller will send you a translation in English of Dr. Paul's report.

Copies of police reports have been requested from the public prosecutor's office in Paris and will be sent to you promptly upon receipt by the Embassy.

The Embassy wishes to express to you and Mrs. Larson its most sincere sympathy in the loss of your son, and to assure you of its desire to be of all possible and appropriate assistance in the settlement of your late son's estate in France.

Very truly yours,

JOHN R. WOOD, *American Consul.*

CLOQUET, MINN., *July 31, 1958.*

Re death of David C. Larson, June 22, in Paris, France.

DEPARTMENT OF STATE,
Office of Special Consular Services,
Washington, D.C.
(Attention: Francis E. Flaherty).

DEAR MR. FLAHERTY: On June 22, 1958, your Department notified me of the death of my son in Paris, France, and requested funds immediately. On June 23, I transmitted \$1,675 by Western Union, requesting that he be returned by air. He arrived home on July 4.

I was assured that your Department would take care of everything and then submit to me an accounting of the funds. As of today, I have heard nothing.

I have been assuming and trusting that the cash and checks on his person, and the cancellation of his ticket by boat which was purchased and paid for by him, are being given your attention.

Am patiently waiting for the official results of the inquest held by the Paris authorities, and for word from you as to when his possessions will be sent home.

I would like an immediate reply as to what action is being taken, or at least, advice as to what I should be doing to get this part of the tragedy settled.

The delay and the apparent indifference toward an American citizen (a brilliant young scientist at that) throughout this terrible tragedy, has been an added burden of grief for my family.

Sincerely,

H. C. LARSON.

CLOQUET, MINN., *July 31, 1958.*

NATIONAL SCIENCE FOUNDATION,
Fellowship Section, Washington, D.C.

GENTLEMEN: Regard: Death of my son, David C. Larson, June 22, 1958, in Paris, France.

Since I have not heard from you regarding the above event, I assume that you have not been notified by either Senator Humphrey's office or by anyone else.

David, who was attending school at Ecole Normale Superieure, was fatally injured in a traffic accident in Paris on June 21 and passed away June 22.

Since National Science Foundation guarantees return transportation, I am applying to you for the amount that would have been due him.

We are parents in moderate circumstances, and our State Department required us to pay the sum of \$1,675 to return the remains by air to New York.

I trust that my request is in order.

Sincerely,

H. C. LARSON, *Father.*

AMERICAN EMBASSY,
Paris, August 7, 1958.

Mr. HENRY LARSON,
Cloquet, Minn.

DEAR MR. LARSON: I hasten to reply to your letter of July 31, 1958, addressed to the Department of State at Washington, regarding the tragic death of your son, David C. Larson, which occurred in Paris on June 22, and the disbursement of funds in connection therewith. Doubtless you have received the Embassy's letter of July 29, 1958, giving you details concerning the death and arrangements which were made for the return of the remains to the United States as well as details concerning the disbursements therefor and the inventory of the effects at present in the custody of the Embassy. You were also informed as to the steps to be taken by you to effect the release of the effects in our possession.

I wish to assure you that the Embassy exercised the greatest diligence in its endeavor to handle all details pertaining to the death of your son, including taking possession of, and protecting the personal property which he left behind. If we were a little late in getting to you details concerning the use of the funds which you transmitted to the Department of State, it was due to our inability to meet temporarily the heavy demands of this nature made on this office as a result of peak season requests. Unfortunately there occurred at Paris five deaths of American citizens during the same week your son lost his life. You also have my assurance that every possible assistance was rendered, not only in behalf of your deceased son's interests and your own, but also of your attorney, Mr. Gething C. Miller, of Paris. I hope that the report which we submitted in our letter of July 29 will give you a detailed indication of the present status of the case. As soon as we receive the evidence requested in the second paragraph, page 2, of the Embassy's letter of July 29, with your instructions regarding the disposition to be made of the personal estate in the possession of the Embassy, we will submit a final accounting to the Department of State which will enable it to reimburse to you any balance remaining from your deposit of \$1,675.

I hope you will feel free to call on the Embassy at any time for any information which you may require in connection with your son's

death and the personal property which he left here. Please accept again my sincere sympathy in your loss.

Yours very truly,

JOHN R. WOOD,
*American Consul,
Acting Chief, Consular Division.*

NATIONAL SCIENCE FOUNDATION,
OFFICE OF THE DIRECTOR,
Washington, D.C., August 29, 1958.

Hon. HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR HUMPHREY: Thank you for calling out attention to the circumstances relating to the death of David Larson in Paris on June 22. Your office informed us of this matter several weeks ago, and we have since that time been attempting to obtain a decision relative to the degree to which we could assist David's parents in defraying the cost of transportation of his remains to his home. This case was without precedent here, and we have found it necessary to consult the General Accounting Office and the Department of State on several occasions in settling upon a policy which is consistent with existing law.

We are today advising Mr. and Mrs. Larson that the Foundation will pay the expenses of preparing the remains of the decedent and of transporting the remains to the decedent's place of interment. (The attached letter to Mr. Larson gives further details.)

We are unable to advise you at this time of the exact amount that will be paid to Mr. and Mrs. Larson, but we estimate that the total will be more than \$1,000. We are advised by the Department of State that the American Embassy in Paris is in touch with the family and that, in as short a time as possible, they will complete the various matters that must be attended to and will then send an itemized account of expenditures from the \$1,675 deposit made by Mr. Larson. We are requesting Mr. Larson to supply us with a copy of this accounting along with a list of other allowable expenses. As soon as the exact costs can be determined, the Foundation will complete its action promptly.

Sincerely yours,

ROBERT B. BRODE, *Acting Director.*

NATIONAL SCIENCE FOUNDATION,
OFFICE OF THE DIRECTOR,
Washington, D.C., August 29, 1958.

Mr. and Mrs. H. C. LARSON,
Cloquet, Minn.

DEAR MR. AND MRS. LARSON: In my letter of August 22, I indicated that more information would be furnished you regarding the extent to which the Foundation could assist you in defraying the expenses incurred as a result of your son's death in Paris.

We have now determined that the Foundation can pay, under existing regulations, the expenses of preparing the remains of the decedent and of transporting the remains to Cloquet, Minn.

The cost of preparation of remains include all the ordinary costs of embalming, necessary clothing, and a casket or container suitable for shipment to place of interment. Any expenses necessarily incurred in complying with local laws and laws at the port of entry in the United States relative to the preparation of your son's body for transportation and burial will be paid by the Foundation. The costs of transportation of remains include charges for removal of your son's remains from the place where death occurred to an undertaking establishment, from the undertaking establishment to a plane, thence by plane and/or common carrier to the place of interment, and one removal at the place of interment from the common carrier.

The Department of State advises us that the American Embassy in Paris has been corresponding with you and will supply you with an itemized accounting of expenditures from the \$1,675 deposit made earlier by you to cover the various costs involved. When you receive the itemized account from the American Embassy in Paris please forward a certified copy to us so we may take immediate action. Also, please send us certified copies of any other expenses incurred which you wish us to consider.

In order for us to process your request for these funds, we will need in addition to your letter of July 31, 1958, and the material mentioned earlier, a copy of your son's birth certificate and death certificate. As soon as these documents are available to us, you may rest assured that this matter will be handled promptly.

Sincerely yours,

ROBERT B. BRODE,
Acting Director.

CLOQUET, MINN., February 1, 1959.

NATIONAL SCIENCE FOUNDATION,
Office of the Director,
Washington, D.C.

(Attention Mr. Robert B. Brode, Acting Director.)

DEAR MR. BRODE: With further reference to your letter of August 29, 1958, as to the expenses incurred by me in regard to the death of my son, David C. Larson in Paris, France on June 22, 1958, I am listing below some of the expenses that I would like the Foundation to give their consideration in the way of reimbursement referred to in your letter, mentioned above:

1. Embalming and airshipment, Paris to New York.....	\$1, 245. 96
2. Airshipment, New York to Minneapolis.....	118. 30
3. Miscellaneous charges at Idlewild regard to transshipment.....	8. 60
4. Barr Bros. shipment, Minneapolis to Cloquet, and handling arrangements.....	155. 00
5. Freight charges, personal effects, Paris to Duluth.....	72. 61
6. Expenses of Gathing Miller in regard to the arrangements in Paris.....	73. 70
7. Transatlantic telephone calls of Dr. C. E. Larson regard to arrangements.....	176. 00
Total.....	1, 850. 17

Copies of the above or original documents and correspondence are enclosed, together with copy of birth certificate and copy of death certificate from Paris.

The transatlantic telephone calls and expenses of Gething Miller in Paris resulted from our inability, either through our State Department or Mr. Miller, to get the Paris authorities to hold their inquest and return the remains home, which took 2 weeks to the day. A fact that makes it impossible for us to forgive them their apparent indifference toward an American citizen.

We sincerely hope you will give the above your favorable approval.
Very truly yours,

H. C. LARSON.

NATIONAL SCIENCE FOUNDATION,
Washington, D.C., February 27, 1959.

Mr. H. C. LARSON,
Cloquet, Minn.

DEAR MR. LARSON: Reference is made to the recent claim you submitted in the amount of \$1,850.17 for transportation and other expense resulting from the death of your son, David, on June 22 in Paris, France.

At the time of David's death, we had no policy to cover situations of this nature. We have since developed such a policy, subject to the approval of the Comptroller General. It is our desire that it apply to your claim. There is a law (54 Stat. 743) which permits Government agencies to pay for preparation of remains and transportation of civilian officers and employees who die in a foreign country. Your son was not an officer or an employee of the Government. Our proposed policy would, however, grant to fellows the same benefits as are now granted to civilian officers or employees.

In order to obtain a ruling on our proposed policy and to determine the amount of your claim that is properly payable, we forwarded it to the Comptroller General of the United States. On the basis of past experience, we estimate that the Comptroller's decision will be received about April 1. Promptly after receipt of the Comptroller's decision, we will have a check issued to you for the allowable amount.

We believe it rather doubtful if the Comptroller will allow such expenses as memorial cards, use of funeral home, etc. These are personal expenses that would not be allowable even for civilian officers or employees of the Government.

Sincerely,

EDWARD B. GARVEY, *Finance Officer.*

[Settlement certificate]

GENERAL ACCOUNTING OFFICE,
Washington, D.C., June 22, 1959.

Division: Claims.
Claim No. Z-1951735.

Mr. H. C. LARSON,
Cloquet, Minn.

SIR: Your claim for \$1,850.17 as reimbursement for expenses incurred for transportation of remains and burial of your son, David C. Larson, who died while pursuing studies in Paris, France, under a predoctoral fellowship granted pursuant to section 10 of the National

Science Foundation Act of 1950 (64 Stat. 149, 152) is disallowed for the reasons stated below.

In the absence of specific statutory authority, public funds are not available for reimbursement of expenditures in connection with the preparation and transportation of remains of a person who died away from home. See 5 U.S.C. 103 and 20 Comp. Gen. 772. No such specific authority is contained in the 1950 act, *supra* (42 U.S.C. 1861-1875).

Accordingly, this Office has no alternative but to disallow your claim.

Respectfully,

COMPTROLLER GENERAL OF THE UNITED STATES,
(By J. R. Sesso).

CLOQUET, MINN., *June 29, 1959.*

MR. HUBERT H. HUMPHREY,
U.S. Senate, Washington, D.C.

DEAR MR. HUMPHREY: With reference to the death of my son, David C. Larson, in Paris, France, last June 22, 1958, while he was studying there under a National Science Foundation fellowship, I have just received a letter from the General Accounting Office stating that my claim for reimbursement of expenses incurred was disallowed because there was no specific statutory authority to cover. (Note the enclosed letter of assurance from the Foundation.)

You have been so very kind in the past in helping me clear up some of the details which I was unable to make progress on by myself, so once again I am hoping that you might help me by analyzing the attached correspondence and then inform me, on the basis of the tentative commitments made, if I am justified in pressing my claim.

You will understand that I am not asking for any "handout" from our Government, but feel that while my son was studying abroad under the Foundation's jurisdiction that they have a responsibility in the matter.

I would most greatly appreciate any assistance you can give on the above.

Very truly yours,

H. C. LARSON.

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